



PRESS RELEASE

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TUCSON MAN PLEADS GUILTY TO PROVIDING FALSE STATEMENTS IN THE “ASPEN FIRE” INVESTIGATION

TUCSON, ARIZONA -- The United States Attorney's Office for the District of Arizona announced today that Kenzo Butler (DOB 4/30/81) of Tucson, Arizona, pled guilty to Counts one and two of the Indictment. Count one charges that on July 30, 2003, Kenzo Butler provided a false statement to United States Forest Service investigators who were investigating the origin of the "Aspen Fire" that began on Mt. Lemmon on June 17, 2003. During questioning, Butler stated that he did not smoke while hiking on the Aspen trail on Mt. Lemmon on June 17, 2003, when, in fact, he did. Count two charges that on July 31, 2003, Kenzo Butler provided a false statement to United States Forest Service investigators, when during questioning Butler was asked if his friend, with whom he was hiking on June 17, 2003 on the Aspen Trail, had smoked any cigarettes on the Mt. Lemmon trail or stopped for smoke breaks. At the time of questioning, Butler replied "no" when, in fact, his friend did smoke a cigarette while hiking on the Aspen Trail on June 17, 2003.

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The false statements were material to the United States Forest Service investigators since they were attempting to determine who started the "Aspen Fire" that burned over 80,000 acres of timberland and destroyed approximately 335 homes.

The factual basis of the plea agreement states that Kenzo Butler and his friend were smoking on the Aspen Trail on Mt. Lemmon on June 17, 2003 in the exact location at which fire investigators determined was the origin of the fire.

"These are serious charges that reflect the serious consequences of lying to federal law enforcement agents," said Paul Charlton, United States Attorney for the District of Arizona. " When people are not truthful or cooperative in cases as important as this one it impedes the investigation, costs the government valuable time and resources and takes the investigators' focus away from solving the crime." added Charlton.

By pleading guilty to the two false statement felony counts, the defendant faces a fine of up \$500,000 and up to 10 years in prison . There are no agreements regarding the sentence in this case. Both parties are free to argue to the Court regarding the appropriate sentence. The only agreement contained in the plea agreement is that Count three of the Indictment will be dismissed after the defendant is sentenced. Sentencing in this case is set for May 21, 2004, at 9:30 a.m. before District Court Judge Bury in courtroom 6b.

The investigation that led to the complaint was conducted by Special Agents of the United States Forest Service, the Pima County Sheriff's Office and the Federal Bureau of Investigation.

The prosecution is being handled by James T. Lacey, Assistant United States Attorney, District of Arizona, Tucson, Arizona.

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